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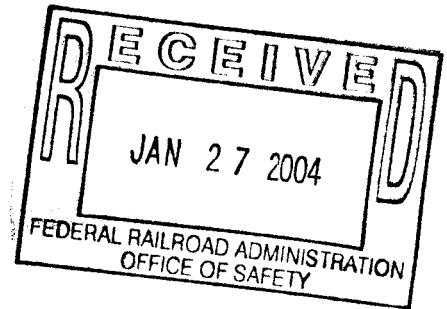
FEDERAL RAILROAD
ADMINISTRATION

2004 FEB -5 **NEBRASKA RAILROAD MUSEUM**

OFFICE OF CHIEF COUNSEL
351 N Somers Ave Fremont, NE 68025
Phone/Fax 402-727-0615

January 15, 2004

FRA-2004-17098-1



US Department of Transportation
Federal Railroad Administration
Administrator of Safety
400 Seventh Street, SW
Washington, DC 20590

Dear Sirs:

The Nebraska Railroad Museum wishes to request relief from compliance with certain provisions of 49 CFR 223.11. This request is for four locomotives; units 2, 316, 481, and 1219. All units are equipped with shatterproof glass, but none are currently equipped in a manner that meets the provisions of Part 223. All units were built prior to 1956.

Nebraska Railroad Museum operates 1-3 trains a week at speeds of less than 20 miles an hour. Trackage consists of 9.5 miles currently operated, the majority of which is through rural areas with low vandalism. There has never been an instance of personnel injury due to glazing or vandalism. Further, as a small museum with limited resources, the cost of certified glazing represents a major expense.

With the low risk to our crews, and the substantial price of glazing, Nebraska Railroad Museum respectfully requests a permanent waiver from 49 CFR 223.11 for the aforementioned locomotives.

Nebraska Railroad Museum wishes to say that we have recently changed our management structure, and fully intend to comply with FRA motive power and equipment regulations. This waiver application is part of bringing our railroad into full compliance. We hope to work with FRA now and in the future to better our railroad.

If you have any questions, please do not hesitate to contact me. Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Shirley Angermund".

Shirley Angermund
President

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DEPT. OF TRANSPORTATION